

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ROGER EMERSON, MARY EMERSON,	:	Civil Action No. 2:17-cv-02565-SJF-SIL
ROBERT CAPLIN and MARTHA J.	:	
GOODLETT, Individually and on Behalf of	:	<u>CLASS ACTION</u>
All Others Similarly Situated,	:	
	:	NOTICE OF MOTION AND LEAD
Plaintiffs,	:	PLAINTIFFS' MOTION FOR FINAL
	:	APPROVAL OF SETTLEMENT AND
vs.	:	APPROVAL OF PLAN OF ALLOCATION
	:	
MUTUAL FUND SERIES TRUST,	:	
CATALYST CAPITAL ADVISORS LLC,	:	
NORTHERN LIGHTS DISTRIBUTORS LLC,	:	
JERRY SZILAGYI, TOBIAS CALDWELL,	:	
TIBERIU WEISZ, BERT PARISER and ERIK	:	
NAVILOFF,	:	
	:	
Defendants.	:	
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TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that on September 9, 2020, at 11:00 a.m., at the United States District Court for the Eastern District of New York, 100 Federal Plaza, Central Islip, New York, or as soon thereafter as counsel may be heard, before the Honorable Sandra J. Feuerstein, United States District Judge, Lead Plaintiffs Eugene Almendinger, Jeffrey Berkowitz, Debra Folk, Earle Folk, Maryann Lovelidge and Tom Lovelidge (“Lead Plaintiffs”) will and hereby move for orders and/or judgments finally approving the settlement of this class action and dismissing the litigation with prejudice and approving the proposed Plan of Allocation for the proceeds of the Settlement. Lead Plaintiffs’ motion is based upon Lead Plaintiffs’ Memorandum of Law in Support of Motion for Final Approval of Settlement and Approval of Plan of Allocation, the declarations submitted in support thereof, the Stipulation and Agreement of Settlement dated March 5, 2020, all other pleadings and matters of record, and such additional evidence or argument as may be presented in Lead Plaintiffs’ motion or at the hearing on Lead Plaintiffs’ motion.

Proposed orders will be submitted on or before August 27, 2020 with Lead Plaintiffs’ reply papers, after the deadlines for submission of objections and requests for exclusion from the Settlement Class have passed.

DATED: July 30, 2020

Respectfully submitted,

ROBBINS GELLER RUDMAN
& DOWD LLP
SAMUEL H. RUDMAN
EVAN J. KAUFMAN

s/ Evan J. Kaufman
EVAN J. KAUFMAN

58 South Service Road, Suite 200
Melville, NY 11747
Telephone: 631/367-7100
631/367-1173 (fax)
srudman@rgrdlaw.com
ekaufman@rgrdlaw.com

LABATON SUCHAROW LLP
JAMES W. JOHNSON
MICHAEL H. ROGERS
JOHN J. ESMAY
140 Broadway, 34th Floor
New York, NY 10005
Telephone: 212/907-0700
212/818-0477 (fax)
jjohnson@labaton.com
mrogers@labaton.com
jesmay@labaton.com

Lead Counsel for Plaintiffs

JOHNSON FISTEL, LLP
FRANK J. JOHNSON
655 West Broadway, Suite 1400
San Diego, CA 92101
Telephone: 619/230-0063
619/255-1856 (fax)
frankj@johnsonfistel.com

JOHNSON FISTEL, LLP
W. SCOTT HOLLEMAN
99 Madison Avenue, 5th Floor
New York, NY 10016
Telephone: 212/802-1486
212/602-1592 (fax)
scotth@johnsonfistel.com

Additional Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on July 30, 2020, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all registered ECF participants.

s/ Evan J. Kaufman

EVAN J. KAUFMAN